

AMESBURY ZONING BOARD OF APPEALS
City Hall Auditorium, 62 Friend Street
Thursday, August 22, 2013
Meeting called to order at 7:00 PM

Attendance: Bob Orem, Sharon McDermott (Chair), Olyce Moore, Donna Collins

Absent:.. Bill Lavoie Matt Sherrill

Also in attendance: Denis Nadeau, Building Inspector; Susan Yeames recording secretary and transcription by Paul Bibaud

MINUTES – Board has been asked to continue these minutes to the next meeting on Sept. 26, 2013. **Motion** to continue made by Donna Collins, seconded by Olyce Moore. AIF.

Mark Doumanian seeks a Special Permit/ Finding under the Zoning Bylaw Section IX, Paragraph B,

Extension and Alteration to construct a two-story, two car garage with an apartment on the second floor to a two family home at 55 Thompson Street, Amesbury, in an R-8 Zoning District, Precinct 4. Sitting in on this are Bob Orem, Olyce Moore, Donna Collins and Sharon McDermott.

Mark Doumanian: I wish to move the apartment that I have to a new two car garage, over the garage. All the setbacks are there. It's just that my lot, when it was made in 1860, they didn't make it to conform to what is required today (the existing part of the house). I want to build the addition to match what is going on with my house, so it will look like it is supposed to. I'm hoping you will allow it. I'm just looking to make more room for my family. I have 3 teenage boys in my house with only three bedrooms. Two boys are crammed into one bedroom. So we are looking to push back farther and take over the old apartment which has one bedroom, and take my tenant and put him over my garage. My home is already a legal two family home. I'm here because the setback for the original part of the house doesn't conform to what is needed in today's zoning regulations. Also, my lot size is 10,600 feet and it's supposed to be 12,000 feet. So it is a pre-existing non-conforming structure and lot. So I need a FINDING. My house in the back is an up and down apartment in the very back, just one bedroom apartment. My tenant lives there. Originally, it was all part of one house. There is a door going from his unit to the main house that I walled over years ago. But I will open that door to provide access after I move him out. The new apartment will be a one bedroom apartment also but more modern, which gives me the one more bedroom I need for my boys. The garage will be attached to the back end of the house. I'll just have to extend my driveway a little farther back, but it will all be one building. It will continue to be a two family home. The addition will meet all the setbacks

No further questions. There are no abutters present.

Olyce Moore makes a motion to close and discuss. Bob Orem seconded the motion.

Finding Questions:

1. Pre-dates Zoning.(1888)
2. Non-conforming on frontage, front setback.
3. No change, neutral.
4. No new non-conformity being created.

Motion to close made by Donna Collins to approve this application. Motion was seconded by Bob Orem. Vote went as follows:

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Bob Orem: Yes
Olyce Moore: Yes
Donna Collins: Yes
Sharon McDermott: Yes.

Application has been approved.

Heather Arthur is seeking a Special Permit / **Finding** under Amesbury Zoning Bylaws, Section XI, Paragraph K1, Residential conversion to create a three family residential home at 20 South Martin Road in an R-8 Zoning District, Precinct 1. Sitting in on this are Bob Orem, Olyce Moore, Donna Collins and Sharon McDermott.

Heather Arthur: I have an existing structure that isn't going to be added to. There's lots of space there, so I'd like to put a third apartment in. The floor plans are in your paperwork. There is a 3-bedroom apartment in the front currently, then there would be a one bedroom on the first floor in the back of the house and two bedrooms upstairs for a third unit. All have required egress and all the required things, including lots of parking and it meets all zoning requirements. There will be room for 7 parking spots in the side driveway, and two in the garage. There will be however many more that will be put in the back. You only need 5 spaces for a three family, and I'll have at least 8, 10 if you include the garage. Since you can't use setback area for parking, we will just move those spaces in a little bit to conform and be off of the setback area.

Motion by Donna Collins to close and discuss. Motion was seconded by Olyce Moore.

There were no abutters present.

1. This pre-dates zoning (1774)
2. Currently exists in table of uses: Yes.
3. Is essential, desirable to public convenience/welfare? Yes.
4. Will not create undo traffic or impeded pedestrian safety? No.
5. Will not overload public systems? No.

Donna Collins read SPECIAL CONDITIONS to make sure they are satisfied.

Lot cannot be less than 12,000 square feet: yes.

Minimum lot frontage at least 80 feet: yes.

At least 3 off site parking spaces: yes.

All other residential requirements of the district are met: yes.

Number of dwelling units technically two to three: yes.

Site plan indicates the off site parking: yes.

Health / safety regulations of the city shall be met, report obtained by applicant from the building inspector: She has to follow through with Denis Nadeau on that.

Can't apply for residential conversion unless a special permit is approved by the board of appeals. Building inspector permits issued shall be in conformance with conditions of special permit approval.

All proposals are subject to special permit requirements, procedures set forth in 10-J.

So the SPECIAL CONDITIONS are satisfied.

Will not impair the health/welfare of the district: no.

Will not create excess use in the neighborhood: true.

Special conditions are satisfied.

Bob Orem: The suggested stipulation I have is that the off street parking shall not utilize any front yard setback space.

Motion to close and vote was made by Donna Collins to close and vote. Motion was seconded by Bob Orem.

Vote went as follows:

Bob Orem: yes.

Olyce Moore: yes.

Donna Collins: yes.

Sharon McDermott: yes.

The application has been approved.

Motion to adjourn was made by Donna Collins.

Bob Orem seconded the motion.

Vote was unanimous.

Meeting was adjourned at 7:30 P.M.